

or commission merchant whenever such vessels are returned to him, to deliver the same to the transportation agent or carrier that brought them to the place of sale and to take a receipt therefor; the legal responsibility of the factor, agent, consignee or commission merchant for such vessels shall thereupon cease and determine, and the transportation agent or carrier so receiving the same shall become responsible to the owner or person entitled to receive the same for the full value of all such vessels until they shall have been deposited at the landing or station at which they were received.

An. Code, 1924, sec. 163. 1912, sec. 142. 1904, sec. 128. 1890, ch. 619, sec. 92B.

**177.** Any agent, factor, consignee or commission merchant who shall fail to require the deposit named in the preceding section, or who shall fail to deliver to the transportation agent or carrier within forty-eight hours after the same shall be returned to him any vessel that may be returned to him by purchasers as prescribed by the preceding section shall forthwith forfeit to the owner or owners thereof, or to the person or persons entitled to receive the same the full market value of such vessels, which sum so forfeited shall be added to and be considered a part of the price at which the merchandise contained in such vessels had been sold; and any agent, factor, consignee or commission merchant who shall refuse to pay over to the owner or person entitled to receive the same within five days after the demand has been made therefor, any sum or sums so forfeited for such vessels shall be subject to the penalty provided in section 178 of this article.

An. Code, 1924, sec. 164. 1912, sec. 143. 1904, sec. 129. 1890, ch. 619, sec. 92C.

**178.** Every agent, factor, consignee or commission merchant within twenty-four hours after sale shall have been made by him of any farm products or article consigned to him for sale by any person within this State shall transmit to the consignor thereof a full account of sale, which shall contain the amount and price of the article so sold, as well as the name and address of the purchaser thereof; said address shall give the city, street and number of house or place of business of such purchaser, and any agent, consignee or commission merchant who shall refuse or neglect to comply with any provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of five dollars for each and every offense, together with the costs of prosecution.

### **Fraud—Conversion of Money or Securities.**

An. Code, 1924, sec. 165. 1912, sec. 144. 1904, sec. 130. 1888, sec. 93. 1867, ch. 386, sec. 2.

**179.** If any money or security for the payment of money shall be entrusted to any banker, broker, merchant, attorney or other agent, with any direction in writing to apply such money or any part thereof, or the proceeds or any part of the proceeds of such security for any purpose specified in such direction, and he shall, in violation of good faith and contrary to the purpose so specified, in anywise convert to his own use or benefit such money, security or proceeds, or any part thereof respectively, every such offender shall be guilty of a misdemeanor, and being convicted thereof, shall be imprisoned in the penitentiary for a term of not more than ten years nor less than three years, and be fined not more than five thousand nor less than one thousand dollars; and if any chattel or